

JENKINS  
WILSON  
TAYLOR  
& HUNT

patent attorneys  
November 30, 2006



"Express Mail" mailing number EV968009736US

Date of Deposit November 30, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Lynda Pixley*  
Lynda Pixley

RICHARD E. JENKINS

JEFFREY L. WILSON

ARLES A. TAYLOR, JR.

GREGORY A. HUNT

BENTLEY J. OLIVE

\*CHRIS PERKINS, PH.D.

\*\*JAMES DALY IV, PH.D.

P. ASHLEY DARDEN

DAVID M. SIGMON

WESLEY A. SHEFFIELD

SCOTT C. MAYHEW

PATENT AGENT

JAY KLINCK

TECHNICAL SPECIALIST

AMY ODENBAUGH, PH.D.

\*LICENSED ONLY IN CA

\*\*LICENSED ONLY IN KY

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 09/896,324  
Our File No. 1392/18/7/2

Sir:

Please find enclosed the following:

1. Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. §1.191) (2 pages);
2. Check in the amount of \$500.00; and
3. A return-receipt postcard to be returned to our offices with the U.S. Patent and Trademark date stamp thereon; and
4. A Certificate of Express Mail No.: EV968009736US.

Please contact our offices if there are any questions with respect to this matter.

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

*Arles A. Taylor, Jr.*

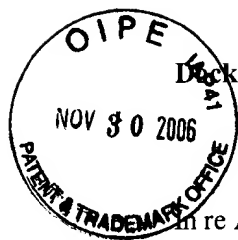
Arles A. Taylor, Jr.

Registration No.: 39,395

AAT/ljp

Enclosures

Customer No: 25297



Docket No. 1392/18/7/2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Li et al.

Group Art Unit: 1637

Serial No.: 09/896,324

Examiner: Chunduru, Suryaprabha

Filed: June 29, 2001

Confirmation No.: 8386

For: METHOD FOR IDENTIFICATION, SEPARATION AND QUANTITATIVE  
MEASUREMENT OF NUCLEIC ACID FRAGMENTS

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed May 31, 2006, finally rejecting claims 1-8.

---

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

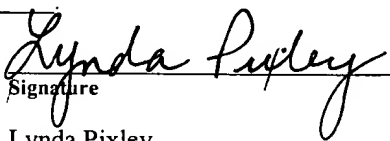
☒ as "Express Mail Post Office to Addressee"  
Mailing Label No. EV968009736US

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_ - \_\_\_\_\_

12/01/2006 BABRAHA1 00000051 09896324

01 FC:1401 500.00 OP  
Date: November 30, 2006

  
Signature  
Lynda Pixley  
(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**1. STATUS OF APPLICANT**

This application is on behalf of other than a small entity.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 41.20(b)(1) the fee for filing the Appeal is:

Other than a small entity \$500.00

Notice of Appeal fee due \$500.00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

An extension for three (3) months has already been secured, and the fee paid therefor of \$1,020.00.

Extension fee due with this request \$0

If an additional extension of time is required, please consider this a petition therefor.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$500.00

**TOTAL FEE DUE \$500.00**

**5. FEE PAYMENT**

A check in the amount of \$500.00 is enclosed.

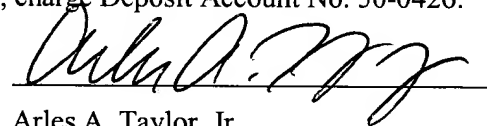
Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. **50-0426**.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, charge Deposit Account No. 50-0426.

Date: November 30, 2006

AAT/ljp

  
Arles A. Taylor, Jr.  
Registration No. 39,395  
Customer No. 25297